



Entered on Docket  
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Second Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based Entirely Upon Investment In  
Fiesta/USA Stoneridge Loan**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in Fiesta/USA Stoneridge Loan," ("Fiesta/USA Stoneridge Loan") [DE 8684] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no

1 response to the Objection having been filed; the Court noting on the record that the  
2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to  
3 repayment by the borrower or from the collateral securing the Fiesta/USA Stoneridge  
4 Loan; and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8684] is sustained; and  
7 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
8 claims are based entirely upon an investment in the Fiesta/USA Stoneridge Loan.  
9

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**  
12

13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Fiesta Stoneridge  
Single Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Fiesta USA/Stoneridge Loan</b>
10725-00666	10/23/2006	Ronald G Gardner Trust	Jeffrey L Hartman Esq 510 West Plumb LN STE B Reno, NV 89509	50,000.00	50,000.00
10725-01763	12/26/2006	Thrower, Debbie	1896 Rankin Drive Carson City, NV 89701	150,000.00	150,000.00
10725-01001	10/27/2006	Yonai, Gregory D Family Trust	C/O Gregory D Yonai Trustee 1982 Country Cove Ct Las Vegas, NV 89135-1552	27,500.00	27,500.00
10725-01449	11/15/2006	Zoe Brown 1989 Family Trust	2877 Paradise Rd, #803 Las Vegas, NV 89109-5244	25,000.00	25,000.00

**EXHIBIT A**

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